

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

DOCKET NO. 3:08-cv-00042-FDW

DAMIAN VECCHIO,

Plaintiff,

vs.

PSA AIRLINES, INC.,

Defendant.

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ORDER

THIS MATTER comes now before the Court upon the parties' "Joint Motion for Extension of Dispositive Motions Deadline" (Doc. No. 30). According to the Case Management Order entered in this case, (Doc. No. 20), all discovery shall be completed by November 21, 2008, all dispositive motions shall be filed by December 19, 2008, oral arguments on dispositive motions will be held the week of February 2, 2009, and the case is set to be heard by a jury during the term of March 9, 2009. The parties have been in possession of these deadlines since May 30, 2008. Now, one week before the close of discovery, the parties have requested that the Court expand all of the above deadlines by sixty (60) days because (1) they have had protracted but ultimately fruitless settlement discussions; and (2) lead counsel for Defendant has left the law firm of Ford & Harrison, which Defendant continues to retain. The Court declines to order such an extension.

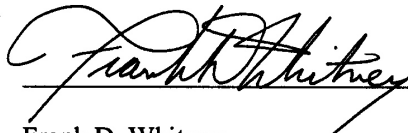
Under section 1(b) of the Case Management Order, the Court preauthorized the parties to stipulate to the taking of discovery beyond the completion deadline provided. However, section 3(a) clearly states that any such extension "will not alter the motions deadline." The Court must run an

efficient and orderly docket. The fact that Defendant has substituted lead counsel with another attorney from the same law firm is insufficient to overcome the Court's need for efficiency, especially considering the fact that other members of the defense team continue to represent Defendant.¹ The Court is therefore assured that Defendant will continue to enjoy the representation of competent counsel that is prepared to litigate this case within the existing deadlines.

Accordingly, the discovery deadline is hereby extended by stipulation of the parties up to and including the dispositive motions deadline, December 19, 2008. In all other respects, the Motion is DENIED, and the existing deadlines shall remain in effect.

IT IS SO ORDERED.

Signed: November 17, 2008



Frank D. Whitney
United States District Judge



¹In particular, Ms. Penny Wofford has appeared for Defendant at all stages of this litigation, from Defendant's Answer to the Initial Pretrial Conference before Judge Horn to the instant Motion.